

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN DANIEL FUCHS**, on March 26, 2003 at 8:02 A.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Daniel Fuchs, Chairman (R)  
Rep. Ronald Devlin, Vice Chairman (R)  
Rep. Ron Erickson, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Joe Balyeat (R)  
Rep. Gary Branae (D)  
Rep. Eileen J. Carney (D)  
Rep. Jill Cohenour (D)  
Rep. Larry Cyr (D)  
Rep. Gary Forrester (D)  
Rep. Kim Gillan (D)  
Rep. Verdell Jackson (R)  
Rep. Bob Lake (R)  
Rep. Carol Lambert (R)  
Rep. Jesse Laslovich (D)  
Rep. Jim Peterson (R)  
Rep. John (Jack) W. Ross (R)  
Rep. Karl Waitschies (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Jeff Martin, Legislative Branch

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

**Committee Business Summary:**

Hearing & Date Posted: HB 758, 3/24/2003; SB 460,  
3/24/2003  
Executive Action: HB 713, DO PASS AS AMENDED, 14-4  
SB 460, BE CONCURRED IN, 16-2

**HEARING ON HB 758****Opening Statement by Sponsor:**

01:00 REP. DEVLIN, HD 3 -- Short Title: Surcharge fee on  
video gambling machines and smoking ordinance  
exemption.

**EXHIBIT (tah64a01)**

**Proponents' Testimony:**

08:00 Rich Miller, Gaming Industry Association  
10:00 Laura Fix, Restaurant and Casino Owner  
12:00 Bob Pavlovich, Butte Bar Owner  
13:00 Bill Brown, Butte-Silver Bow Tavern Association, BB's  
Casino  
18:00 Kevin Detinne, Holiday Inn, Helena  
25:00 Mike Clasby, Howard's Pizza  
31:00 Ross Bittner, Missoula County Tavern Association  
32:00 Ronda Carpenter, Montana Coin Operators Association  
32:00 Chris Gallus, Montana Tavern Owners Association

**Opponents' Testimony:**

34:00 Ward Shanahan, Protect Montana Kids

**EXHIBIT (tah64a02)**

38:00 Dr. Bob Shepherd  
40:00 Tim Burton, Helena City Manager  
44:00 Alec Hansen, League of Cities and Towns  
47:00 Joe Mazurek, City of Great Falls  
48:00 Dr. Richard Sargent

**EXHIBIT (tah64a03)**

**EXHIBIT (tah64a04)**

**EXHIBIT (tah64a05)**

**EXHIBIT (tah64a06)**

**EXHIBIT (tah64a07)**

58:00 Cliff Christian, American Heart Association  
1:01:00 Jeri Domme  
1:03:00 Jani McCall, Deaconess Billings Clinic, City of  
Billings  
1:03:00 Beda Lovitt, Montana Medical Association, Montana  
Psychiatric Association  
1:04:00 Erin McGowan, American Cancer Society  
1:04:00 Dick Paulsen, American Lung Association  
1:04:00 Anna Jones  
1:04:00 Elizabeth Andrews

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

1:04:00

**Closing by Sponsor:**

1:24:00

**HEARING ON SB 460**

**Opening Statement by Sponsor:**

1:32:00     **SEN. STORY, SD 12 -- Short Title:** Revise definitions  
                  applicable to metal mines license tax.

**Proponents' Testimony:**

1:36:00     Christopher Allen, Stillwater Mining Company

**EXHIBIT (tah64a08)**

1:47:00     Paul Miller, Holland and Hart, Stillwater Mining  
                  Company

**EXHIBIT (tah64a09)**

1:57:00     Don Hoffman, Department of Revenue

1:58:00     Harold Blattie, Montana Association of Counties

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

2:04:00

**Closing by Sponsor:**

2:31:00

**EXECUTIVE ACTION ON HB 713**

**CHAIRMAN FUCHS** relinquished the Chair to **REP. DEVLIN**.

**Motion:**   **REP. FUCHS** moved that HB 713 DO PASS.

**Motion:**   **REP. FUCHS** moved that HB 713 BE AMENDED TO DELETE  
SECTION 10 OF THE BILL.

**Discussion:**

2:33:00

**Vote:**   Motion carried 16-2 with REPS. COHENOUR and ERICKSON  
voting no by voice vote.

Motion: REP. FUCHS moved that HB 713 DO PASS AS AMENDED.

Discussion:

2:46:00

Vote: Motion carried 14-4 with REPS. CARNEY, ERICKSON, LAKE, and WAITSCHIES voting no by roll call vote.

EXECUTIVE ACTION ON SB 460

Motion/Vote: REP. LAMBERT moved that SB 460 BE CONCURRED IN.  
Motion carried 16-2 with REPS. COHENOUR and LASLOVICH voting no  
by voice vote. REP. DEVLIN will carry SB 460.

**ADJOURNMENT**

Adjournment: 12:11 P.M.

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REP. DANIEL FUCHS, Chairman

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KATHLEEN ELY, Secretary

DF/KE

**EXHIBIT (tah64aad)**